

1 ROGER E. BORG, ESQ., Bar No. 117765
20122 Santa Ana Avenue, #8A
2 Newport Beach, CA 92660
Telephone: (714) 549-4452
3 roger.e.borg@gmail.com

4 VICTORIA C. KNOWLES, Bar No. 277231
4100 Newport Place Drive, Suite 800
5 Newport Beach, CA 92660
Telephone: (949)706-6464
6 Facsimile: (949)706-6469
vknowles@trialnewport.com

7
8 Attorney for Plaintiff
ABELARDO MARTINEZ

9 Virginia L. Miller, Bar No. 211124
gmiller@calljensen.com
10 Ryan M. McNamara, Bar No. 223606
rmcnamara@calljensen.com
11 CALL & JENSEN
A Professional Corporation
12 610 Newport Center Drive, Suite 700
Newport Beach, CA 92660
13 Tel: (949) 717-3000
Fax: (949) 717-3100

14 Mark A. Knueve, Ohio Bar No. 0067074
maknueve@vorys.com
15 Michael J. Shoenfelt, Ohio Bar No. 0091154
mjshoenfelt@vorys.com
16 VORYS, SATER, SEYMOUR AND PEASE LLP
17 52 East Gay Street
Columbus, OH 43215
18 Tel: (614) 464-6400
Fax: (614) 464-6350

19 Attorneys for Defendant Abercrombie & Fitch Co.
20

21 **UNITED STATES DISTRICT COURT**
22 **SOUTHERN DISTRICT OF CALIFORNIA**

23 ABELARDO MARTINEZ, an individual,
24 Plaintiff,
25 v.

26 ABERCROMBIE & FITCH CO., a
27 Delaware corporation; and DOES 1-10,
28 inclusive,
Defendant.

Case No. 3:15-cv-00511-JM-RBB

JOINT NOTICE OF SETTLEMENT

TO THE COURT, THE CLERK, AND TO ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that the parties have reached a settlement in principle of the above-captioned matter and are in the process of executing the actions required by the agreement. It is anticipated that a dismissal of the entire action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) will be filed within thirty (30) days of the date of this Notice. Based thereon the parties respectfully request that the Early Neutral Evaluation scheduled for May 29, 2015 at 10:00 a.m. be vacated.

Dated: May 22, 2015

By: /s/ Victoria C. Knowles
Victoria C. Knowles
Roger E. Borg
Attorneys for Plaintiff
ABELARDO MARTINEZ
E-mail: vknowles@trialnewport.com

Dated: May 22, 2015

By: /s/ Michael J. Shoenfelt
Michael J. Shoenfelt
VORYS, SATER, SEYMOUR AND PEASE
LLP, Attorneys for Defendant
ABERCROMBIE & FITCH Co.
E-mail: mjshoenfelt@vorys.com

I, Victoria C. Knowles, hereby certify that the content of this document is acceptable to all persons required to sign this document and that I obtained the authorizations necessary for the electronic signatures of all parties for this document.

/s/ Victoria C. Knowles
Victoria C. Knowles

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2015, I electronically filed the foregoing **JOINT NOTICE OF SETTLEMENT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Victoria C. Knowles

Victoria C. Knowles